

## **REMARKS/ARGUMENTS**

Claims 1, 2, 4-7, 9-11, 13-16, and 18-20 have been examined and finally rejected. It is believed that the Examiner's reference to claim 20 should properly be to claim 21. Claim 20 was omitted from the originally filed application and then cancelled in the previous response. The present response amends claims 1, 6, 10, and 19. Accordingly, in the view of the undersigned, the pending claims are now 1, 2, 4-7, 9-11, 13-16, 18-19, and 21. The present response is being submitted with an RCE. Reconsideration and allowance of all pending claims are respectfully requested.

The undersigned thanks the Examiner Melanie Jagannathan and her supervisor Frang Duong for their time and courtesy in the interview of October 6, 2004. The below remarks are a reflection of the understandings reached in that interview.

Claims 1-2, 4-7, 9-11, 13-16, and 18-20 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,732,113 issued to Schmidl, et al. It is respectfully submitted that the present invention as recited by the pending claims is neither disclosed nor suggested by the Schmidl patent.

As was discussed in the interview, there is a terminological difference between the present application and the Schmidl patent. Where the present application refers to a frequency domain "symbol," this is roughly analogous to a "subcarrier" in the Schmidl patent. Where the present application refers to a "burst," this is a "symbol" in Schmidl's nomenclature. The training symbols of Schmidl, cited in the rejection, are thus not "symbols" in the sense of the present claims and application but rather entire training bursts.

To further clarify this distinction, the pending independent claims are being amended to show that the recited "bursts" include both "training symbols" and "data symbols." This feature is neither disclosed nor suggested by the Schmidl patent which shows training information in a burst used exclusively for training. Pending independent claims 1, 6, 10, and 19 are therefore allowable over the art of record. The remaining dependent claims are allowable for at least the reason of their dependence from the allowable parent claims.

The Examiner has also objected to the numbering of the claims. However, as previously indicated claim 20 was omitted from the originally filed application and then cancelled in the

previous response. It is believed that no renumbering is necessary. However, if the Examiner is of a different view, it is requested that she specify a desired renumbering scheme.

### **Conclusion**

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8694.

Respectfully submitted,



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